

Congress of the United States
Washington, DC 20515

April 12, 2019

The Honorable Raul Grijalva
Chairman
Committee on Natural Resources
U.S. House of Representatives
Washington, DC 20515

The Honorable Rob Bishop
Ranking Member
Committee on Natural Resources
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Grijalva and Ranking Member Bishop,

We write to respectfully request a hearing in the House Natural Resources Committee on the four off-reservation Native American boarding schools operated by the Bureau of Indian Education (BIE): Riverside Indian School in Anadarko, Oklahoma; Sherman Indian School in Riverside, California; Flandreau Indian School in Flandreau, South Dakota; and Chemawa Indian School (Chemawa) in Salem, Oregon. Following a local media report's serious allegations of BIE neglecting the welfare of Chemawa students, we led several of our Oregon delegation colleagues in seeking answers from the Administration about the lack of accountability and transparency at Chemawa, running into many obstacles in doing so, not least of which is an order from Indian Affairs leadership restricting Chemawa staff from speaking with us. Chemawa is of particular interest to us and the communities we represent, and we continue to consult with Oregon tribal leaders about ways to hold BIE accountable.

Chemawa is the oldest continuously-operating Native American boarding school in America, and now represents a place where Native youth from across the West can receive a high school education in a unique, culturally-appropriate setting. As an off-reservation school, students attend Chemawa from seventeen states with more than a third coming from Arizona. Chemawa students belong to as many as 80 different tribes with the White Mountain Apache Tribe, Tohono O'Odham Nation, Gila River Indian Community, and the Navajo Nation representing the highest number of Chemawa students.¹ We are troubled by circumstances at BIE and at the school, and we fear those circumstances interfere with their mission to "provide opportunities for every Chemawa student to achieve success."²

A 2017 five-part investigative report by Oregon Public Broadcasting (OPB) made serious allegations and outlined significant concerns about Chemawa. These concerns ranged from a lack of transparency and accountability in the governance structure and management of the school, to alarming reports of the deaths of three students at Chemawa: Melissa Abell, who died of cardiac arrest in her dorm room; Flint Tall, who died in an alcohol-related car accident in South Dakota shortly after being expelled and sent home; and Marshall Friday, who died after struggling to

¹ Chemawa enrollment facts, 2014-2015: <http://chemawa.bie.edu/quickfacts.html>. Accessed March 7, 2019.

² Chemawa Mission and Vision: <http://chemawa.bie.edu/mission.html>. Accessed March 11, 2019.

access medication for a heart problem at school.³ In light of the OPB report, the Oregon delegation sent a letter to Principal Deputy Assistant Secretary for Indian Affairs John Tahsuda on November 14, 2017, outlining a series of questions related to our concerns about Chemawa. The letter we received in response on April 26, 2018, provided unsatisfactory answers to our inquiries. This, in addition to the months-long delay in receiving the response, prompted us to convene a meeting at Chemawa.

On May 3, 2018, we, along with Senator Ron Wyden and Senator Jeff Merkley, met with BIE Director Tony Dearman and Chemawa administrators at the school seeking answers to our questions. We were particularly dismayed and frustrated when we were told at the meeting that Chemawa and BIE staff are prohibited from talking with us, their elected representatives, without approval from Congressional Affairs in Washington, DC. Following insufficient responses to our questions in that meeting, we sent a second letter to Mr. Tahsuda on June 8, 2018, with additional concerns about Chemawa's staff vacancy rate and lack of Native American teachers; policies and procedures to train teachers and support staff so that they are fully equipped to meet complex student needs; and school board membership and authority. Concurrently, we sent a letter to the Department of Education requesting information about why the Department was withholding Title I funding from BIE, and a letter to the Indian Health Service (IHS) requesting information about the relationship between IHS and Chemawa to protect the health and safety of students. We received responses from the Department of Education and Indian Health Service within three months of sending our letters.

On August 20, 2018, Congressman Schrader spoke with Assistant Secretary for Indian Affairs Tara Sweeney and Mr. Tahsuda. Mr. Tahsuda took full responsibility for the prohibition on Chemawa staff talking to Members of Congress, even after Congressman Schrader emphasized that this policy blocks his own constituents from speaking with him. Mr. Tahsuda reiterated that all queries must go through Congressional Affairs, but when pressed for an estimated timeline for the response to our letter sent to that specific department more than two months ago, he was unable to answer.

While our letter was going unanswered at Indian Affairs, we learned of the tragic death of Robert Tillman, who was a student at Chemawa. Less than two weeks after leaving Chemawa, Robert died in Wyoming. We don't know any details surrounding the circumstances of his departure from the school, but are deeply concerned that this student death, along with the student deaths OPB reported on in 2017, signals that Chemawa and BIE are failing to keep students in their care safe, and to identify and meet student health and safety needs.

After more than nine months without a response, and with fresh concerns about student safety, we, with Senator Merkley, requested a second meeting at Chemawa. We met with Chemawa administrators, Director Dearman, and Mr. Tahsuda on March 20, 2019, and received an answer to our June 2018 letter to Indian Affairs at the meeting itself. This response was unsatisfactory; it

³ Full Oregon Public Broadcasting series on Chemawa: <https://www.opb.org/news/series/chemawa/>. Accessed March 7, 2019.

was light on details and did not address all of our questions. Additionally, we believe that had we not visited Chemawa in person a second time, we would still be waiting for a response.

We have repeatedly followed the proper channels given to us by BIE and submitted detailed inquiries to Congressional Affairs at the Bureau of Indian Affairs. These are serious and specific concerns, and to receive delayed and vague responses from BIE and Indian Affairs is unacceptable. We have been repeatedly told that staff at Chemawa is prohibited from speaking with Members of Congress and have seen written communications to staff reinforcing that message. We believe that BIE's policy restricting communication between Chemawa and the Congressional delegation is a great disservice to Chemawa's students and staff and fosters a culture of secrecy where staff and students are afraid to speak up and discuss their concerns.

BIE has a responsibility to thousands of Native students, and we have a responsibility to our constituents and students in Oregon. A hearing into BIE's oversight of Chemawa and other such off-reservation boarding schools would help us all to share the information that we need to accomplish our common goal of ensuring that Native students have the resources and support to receive the best academic and cultural education, college readiness skills, and workforce training, in a safe and supportive environment, and that BIE school staff have the resources, training, and support to succeed in providing this education. Under the Committee's previous leadership, BIE was not called in to testify. There has been a significant lapse in oversight of BIE and these issues need to be investigated by Congress. We believe that BIE must be held accountable for their inaction in response, specifically, to the concerns raised about Chemawa, and that the Committee should make doing so a priority.

We urge you to hold a hearing in your committee and appreciate the opportunity to work with you to provide oversight into this issue on a broad, bipartisan scale. Please do not hesitate to contact Julia Stafford in Rep. Schrader's office at julia.stafford@mail.house.gov, or Allison Smith in Rep. Bonamici's office at allison.smith@mail.house.gov should you have any questions. Thank you for your consideration of our request.

Sincerely,



KURT SCHRADER
Member of Congress



SUZANNE BONAMICI
Member of Congress